

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application of:	GURLEY ET AL.	
Application Number:	Not assigned yet	Group Art Unit: Not assigned yet
Filed:	20 March 2001	Examiner: Not assigned yet
For:	NEW USE	

Box Patent Application
Assistant Commissioner For Patents
Washington, DC 20231

Sir:

This is a divisional application of No. 09/071,826. Prior to a first Office Action, please amend the above-identified patent application as follows:

PRELIMINARY AMENDMENT

In the Claims:

Please **DELETE** Claims 3-28, without prejudice.

Please **ADD** new Claims 29-60.

29. (New) The pharmaceutical composition according to claim 1, wherein the said positive modulator is 5-hydroxyindole.
30. (New) The pharmaceutical composition according to claim 2, wherein the said positive modulator is 5-hydroxyindole.
31. (New) The pharmaceutical composition according to claim 1, wherein the said nicotinic receptor agonist is an $\alpha 7$ -nicotinic receptor agonist.
32. (New) The pharmaceutical composition according to claim 2, wherein the said nicotinic receptor agonist is an $\alpha 7$ -nicotinic receptor agonist.

33. (New) The pharmaceutical composition according to claim 29, wherein the said nicotinic receptor agonist is an $\alpha 7$ -nicotinic receptor agonist.
34. (New) A method for the treatment of a condition associated with reduced nicotine transmission, by administering to a patient in need of such treatment, a medically effective amount of a positive modulator of a nicotinic receptor agonist, said positive modulator having the capability to increase the efficacy of the said nicotinic receptor agonist.
35. (New) The method according to claim 34, wherein the said positive modulator is administered together with a nicotinic receptor agonist.
36. (New) The method according to claim 34, wherein the said positive modulator is 5-hydroxyindole.
37. (New) The method according to claim 35, wherein the said positive modulator is 5-hydroxyindole.
38. (New) The method according to claim 34, wherein the said nicotinic receptor agonist is an $\alpha 7$ -nicotinic receptor agonist.
39. (New) The method according to claim 35, wherein the said nicotinic receptor agonist is an $\alpha 7$ -nicotinic receptor agonist.
40. (New) The method according to claim 36, wherein the said nicotinic receptor agonist is an $\alpha 7$ -nicotinic receptor agonist.
41. (New) The method according to claim 34, for the treatment of Alzheimer's disease, Attention Deficit Hyperactivity Disorder, schizophrenia, anxiety or nicotine addiction.
42. (New) The method according to claim 35, for the treatment of Alzheimer's disease, Attention Deficit Hyperactivity Disorder, schizophrenia, anxiety or nicotine addiction.

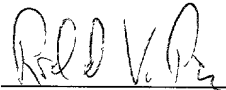
43. (New) The method according to claim 36, for the treatment of Alzheimer's disease, Attention Deficit Hyperactivity Disorder, schizophrenia, anxiety or nicotine addiction.
44. (New) The method according to claim 38, for the treatment of Alzheimer's disease, Attention Deficit Hyperactivity Disorder, schizophrenia, anxiety or nicotine addiction.
45. (New) The method according to claim 34 for the treatment of Alzheimer's disease.
46. (New) The method according to claim 35 for the treatment of Alzheimer's disease.
47. (New) The method according to claim 36 for the treatment of Alzheimer's disease.
48. (New) The method according to claim 38 for the treatment of Alzheimer's disease.
49. (New) The method according to claim 34 for the treatment of Attention Deficit Hyperactivity Disorder.
50. (New) The method according to claim 35 for the treatment of Attention Deficit Hyperactivity Disorder.
51. (New) The method according to claim 36 for the treatment of Attention Deficit Hyperactivity Disorder.
52. (New) The method according to claim 38 for the treatment of Attention Deficit Hyperactivity Disorder.
53. (New) The method according to claim 34 for the treatment of schizophrenia.
54. (New) The method according to claim 35 for the treatment of schizophrenia.
55. (New) The method according to claim 36 for the treatment of schizophrenia.

56. (New) The method according to claim 38 for the treatment of schizophrenia.
57. (New) The method according to claim 34 for the treatment of nicotine addiction.
58. (New) The method according to claim 35 for the treatment of nicotine addiction.
59. (New) The method according to claim 36 for the treatment of nicotine addiction.
60. (New) The method according to claim 38 for the treatment of nicotine addiction.

Support for new Claims 29-60 is found in original Claims 1-28 and throughout the specification. Differences between the old and new claims are merely the result of the Applicant's desire to remove multiple dependencies.

Applicant believes that no fee is due for this Preliminary Amendment. But, if a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 26-0166 for the required amount.

Respectfully submitted
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